

## **RESOLUTION 11-2010**

### **JEFFERSON COUNTY'S PLANNING POLICY ON ENERGY CORRIDORS ELECTRICAL TRANSMISSION LINES AND OTHER UTILITY INDUSTRIAL SITES WITHIN JEFFERSON COUNTY, MONTANA**

**WHEREAS**, the Board recognizes its mandate provided in Montana statutes to (1) protect and enhance the public health, safety, and welfare of the citizens of the County, (2) protect the tax base and encourage the economic stability of the County, and (3) encourage the agriculture and forestry industries and other businesses for the future growth; and

**WHEREAS**, the State of Montana has enacted laws which empower the Board of County Commissioners to develop land use, resource management, and environmental planning processes necessary to serve the public health, safety, convenience, and welfare; and

**WHEREAS**, laws and regulations of the United States ("Federal Laws") and of the State of Montana ("State Laws") mandate that planning and actions of the Federal and State agencies must be coordinated with the plans of local government, these specific laws being in part the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), the National Forest Management Act (NFMA) and the Montana Environmental Policy Act (MEPA); and

**WHEREAS**, community values that express and guide Jefferson County's comprehensive plan, known as the Jefferson County Growth Policy, are: to sustain and strengthen the economic well-being of Jefferson County's citizens; to protect and maintain Jefferson County's rural character and the community's historic relationship with natural resource development; and to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Jefferson County's citizens; and

**WHEREAS**, the Board has passed resolutions that support Jefferson County's reliance upon natural resources including Resolution 31-2002, a Resolution to Adopt a Right to Farm and Ranch Policy; Resolution 41-2004, a Resolution to Adopt a Right to Mine Policy; Resolution 32-2004, A Resolution of the County Commissioners of Jefferson County, Supporting Active Forest Management; and Resolution 06-2006, a Resolution Support Mineral Exploration in Jefferson County; and

**WHEREAS**, the Board recognizes the need for a reliable source of funds from use of resources on Federal lands wherefore Federal Lands compromise approximately 70% of land ownership within Jefferson County; and

**WHEREAS**, State owned land is found in the County and the Board recognizes its legitimate interest in the management of that State land; and

**WHEREAS**, the economic base and stability of Jefferson County is largely dependent upon commercial and business activities operated on Federal and State owned, managed, and/or regulated lands that include, but are not limited to, recreation, tourism, timber harvesting, mining, livestock grazing and other commercial pursuits; and

**WHEREAS**, the Board recognizes the applicability of the aforementioned Federal Laws and State Laws to its duties and requires full participation of the Board in the planning and regulatory processes of all Federal and State agencies which have any jurisdiction within the County; and

**WHEREAS**, the Board believes that individual private property rights withing Jefferson County must be protected from unjust condemnation; and

**WHEREAS** the Board believes that whenever possible, energy corridors and utility and transmission lines, substations, collector sites and other utility industrial sites should remain upon public lands for the benefit of the public versus infringing upon private property owner's rights and/or the Jefferson County community; and

**WHEREAS**, the Board and its land planning policies, regulations, and ordinances require that energy corridors and/or electrical transmission lines, substations, collector sites and other utility industrial sites that are at all capable of exporting or transporting electricity to markets outside of Montana that are to be proposed, planned and placed within the jurisdictional boundaries of Jefferson County, Montana must be situated to the utmost ability upon public lands as the benefits of said energy corridors and/or transmission lines, substations, collector sites and other utility industrial sites is for the public at large and should not infringe upon the rights of individual property owners and the Jefferson County community; and

**WHEREAS**, the Board has created a county natural resource advisory task force and is intent upon developing a comprehensive resource plan by said task force.

**WHEREAS**, the Board wishes to set policy on the planning, development, and use of

energy corridors and the planning, placement, and use of transmission lines, substations, collector sites and other utility industrial sites to transport electricity to consumers primarily outside the State of Montana.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby requires that all Federal and State planning and any other actions that may affect Jefferson County in relation to energy corridors and electrical transmission lines, substations, collector sites and other utility industrial sites must be coordinated with the County is its adopted plans, resolutions, and ordinances; and

**BE IT FURTHER RESOLVED**, that the Board hereby sets policy that any energy corridors and/or electrical transmission lines, substations, collector sites and other utility industrial sites that are at all capable of exporting or transporting electricity to markets outside of Montana that are to be proposed, planned, or placed within the jurisdictional boundaries of Jefferson County, Montana must be situated to the maximum ability upon public lands as the benefits of said energy corridors and/or transmission lines, substations, collector sites and other utility industrial sites is for the public at large and should not infringe upon the rights of individual property owners or the entire Jefferson County, Montana community.

**DATED** this 18<sup>th</sup> day of May, 2010.

**ATTEST:**

---

**BONNIE RAMEY  
CLERK AND RECORDER**

---

**TOMAS E. LYTHGOE, CHAIR**

---

**DAVE KIRSCH, COMMISSIONER**

---

**LEONARD WORTMAN, COMMISSIONER**